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REMARKS/ARGUMENTS

The claims are 1-7, 9, 11-16, 18 and 20, which have been rejected on the ground of non-statutory obviousness type double-patenting as being unpatentable over claims 1-16 of the *Kropf-Eilers et al. U.S. Patent No. 7,322,463*. Essentially, the Examiner's position is that Applicants' claim 1 herein is the same as claim 1 of the *Kropf-Eilers et al. '463* patent except that it merely incorporates claim 2 of the *Kropf-Eilers et al. '463* patent into Applicants' claim 1 herein.

This rejection is respectfully traversed.

As set forth in claim 1, Applicants' invention provides a conveyor belt having a bearing side and a backing side made of elastomer material, as well as an embedded reinforcement carrier. The backing side is reinforced with ball-type elements, with each ball-type elements having a diameter 1 to 5 mm and the elastomer density of each ball-type element reinforcement being 1.0 to 2.0 g/cm<sup>3</sup>.

Contrary to the Examiner's position, Applicants' claim 1 is not the same as claim 1 of the *Kropf-Eilers et al.* '463 patent except for incorporating claim 2 of the *Kropf-Eilers et al.* '463 patent into claim 1. Specifically, as recited in Applicants' claim 1, the "backing side" is reinforced with ball-type elements. In contrast, claim 1 of the *Kropf-Eilers et al.* '463 patent recites that the "bearing side" is reinforced with ball-type elements. Moreover, contrary to the Examiner's position, Applicants' claim 1 herein does not specify that the layer 6 is disposed close to the reinforcement carrier as recited in claim 2 of the *Kropf-Eilers et al.* '463 patent.

A conveyor belt has a carrier (bearing) side and a contact side (backing side) with which different service requirements and problems are connected. Applicants' conveyor belt as recited in claim 1 herein has improved indentation rolling resistance which results in a lower demand for energy. In contrast, the conveyor belt of claim 1 of the *Kropf-Eilers et al.* '463 patent has improved impact protection or cut protection. Thus, it is respectfully submitted that claim 1 of the *Kropf-Eilers* '463 patent fails to disclose or suggest a conveyor belt in which the backing side is reinforced with ball-type elements as recited in

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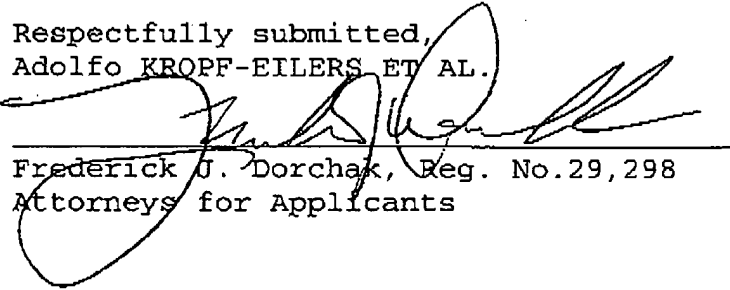
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Applicants' claim 1 herein. Therefore, it is respectfully submitted that there is no obviousness double-patenting of Applicants' claim 1 over claims 1-16 of the *Kropf-Eilers et al.* '463 patent.

In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,  
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Frederick J. Dorchak

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